THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION NO.20597 OF 1995

Dated 08-11-2005

Between:

Shaik Abdul Khayyum …Petitioner

And

High Court of Andhra Pradesh rep. by

Its Registrar (Management) and another …Respondents

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION NO.20597 OF 1995

O R D E R (Per the Hon'ble Sri Bilal Nazki, ACJ):

Heard learned counsel for the parties.

The grievance of the petitioner is that he was not given an employment although he was entitled to appointment in terms of G.O.Ms.No.309, dated 04-07-1985. His case was that his father was a Record Assistant and retired from service on medical invalidation grounds. The application of the petitioner was rejected on the ground that his father did not have a balance of service of five years as on 30-06-1992 when he retired from service. We do not find any illegality in the impugned order.

Additionally it is brought to our notice that G.O.Ms.No.309, dated 04-07-1985 has already been held to be unconstitutional by a Full Bench of this Court in a judgment reported in ***Government of Andhra Pradesh and others v. D.Gopaiah.*** Consequent upon the judgment of this Court, the Government has also passed G.O.Ms.No.202 General Administration (Ser.A) Department, dated 27-04-2002 withdrawing the earlier G.O., under which appointment could be made on retirement of a person on compassionate grounds.

In this view of the matter, the writ petition fails and is accordingly dismissed. No order as to costs.

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(Bilal Nazki, ACJ)

8th November, 2005

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(R.Subhash Reddy,J)

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